

U.S. Patent Application Serial No. 10/663,595
Reply to Office Action dated January 31, 2005

Remarks:

Applicant has read and considered the Office Action dated January 31, 2005 and the references cited therein. Claims 1-5 are currently pending in this application. In the Official letter dated January 31, 2005, claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,285,658 to Hitchcock (hereinafter "Hitchcock"). Claims 2-5 were also rejected under U.S.C. § 103(a) as being obvious over Hitchcock and in view of the skill of one of ordinary skill in the art. The rejections have been carefully considered, but are respectfully traversed for the reasons that follow.

The present invention is directed towards a reflective coating for a housing enclosure to reduce temperatures inside the housing. Claim 1 recites structure for a housing for a level measurement system. The housing comprises an upper section and a lower section and a **reflective coating** is applied to at least one portion of the upper section. In contrast, Hitchcock is concerned with an instrument cover for reducing glare. Upon a careful reading of Hitchcock, nowhere does Hitchcock disclose, teach or suggest a **reflective coating** applied to an instrument, as is presently claimed. Hitchcock merely discloses a "glare-preventing cover for an instrument" (Column 2, ll. 1-2). The "anti-glare cover" disclosed by Hitchcock operates by virtue of the fact that the cover is disposed at an adjustable angle with respect to the dial, where the angle is adjustable because the cover is rotatable. (See, for example, Column 3, ll. 26-34 and Column 3, ll. 52-61). Nowhere does Hitchcock teach or suggest that any sort of coating is applied to the cover for the purposes of "thermal reflection" or for that fact "anti-glare". It is submitted that claim 1 is not anticipated because Hitchcock fails to disclose or teach each and every element as defined by independent claim 1.

U.S. Patent Application Serial No. 10/663,595
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With respect to the obviousness rejection of dependent claims 2-5, it is submitted that there is no motivation for one skilled in the art to modify the teachings of Hitchcock because Hitchcock deals with an entirely different technical problem and solution. Furthermore, even if one skilled in the art were to modify the teachings of Hitchcock with the knowledge of one of ordinary skill in the art at the time of the invention, the resulting apparatus would not be the same as that defined by dependent claims 2-5 for the reasons as discussed above. Applicant therefore asserts that claims 2-5 are not obvious in view of the cited prior art.

Official notice is taken that the use of metallic film or a mirrored finish to make an item reflective would be well within the purview of one of ordinary skill in the art. Applicant respectfully disagrees with this contention and requests that evidence be presented to support this contention. Applicant is unaware of any prior art whatsoever where metallic film or a mirrored finish is used to make a housing enclosure reflective.

It is further asserted that Hitchcock is not analogous prior art to the present invention because Hitchcock is not concerned with Applicant's field of endeavor. Hitchcock is also not a pertinent reference on which to base an obviousness rejection. The present invention is concerned with a reflective coating to reduce the temperature for a housing enclosure. The present invention solves the problem of high temperatures in housing enclosures by using a reflective coating. Without hindsight, an inventor's attention would not be directed towards Hitchcock in attempting to solve the problem that the present invention solves. Hitchcock is concerned with neither the application of reflective coatings to housing enclosures nor the problem of high temperatures in housing enclosures. Therefore, the teachings of Hitchcock are not within the same field of endeavor as the present invention. Applicant further asserts that claims 2-5 are patentable over Hitchcock because a prima facie obviousness rejection has not been established.

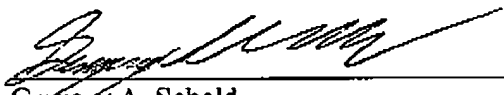
U.S. Patent Application Serial No. 10/663,595
Reply to Office Action dated January 31, 2005

It is respectfully submitted that the present amendments herein represent a complete response to all outstanding issues and place the subject application into condition for allowance. Favorable consideration and allowance is respectfully requested. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at 612.336.4728.

Respectfully submitted,

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